

Message Text

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ACTION EUR-08

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INFO USMISSION GENEVA
AMCONSUL LENINGRAD
USDEL MBFR VIENNA

C O N F I D E N T I A L MOSCOW 16027

LIMDIS

GENEVA FOR AMBASSADOR TOON

E.O. 11652: N/A
TAGS: PINT, CSCE, SHUM, SOPN, UR, US
SUBJECT: FIRST DAY OF SHCHARANSKIY TRIAL: COMMENTS
ON TASS ACCOUNT

1. DEPARTMENT WILL HAVE SEEN TASS WIRE ACCOUNT OF
FIRST SESSION OF SHCHARANSKIY TRIAL. ACCORDING TO
DUTCH EMBOFF PRESENT AT THE OFFICIAL PRESS BRIEFING
ON THE TRIAL MID-DAY JULY 10, A SPOKESMAN FOR THE
COURT LIMITED HIMSELF TO READING A STATEMENT
VIRTUALLY IDENTICAL TO THE TASS ITEM. OUR DUTCH
COLLEAGUE DESCRIBED THE BRIEFING AS "COMPLETELY
UNSUBSTANTIAL" AND "AWFUL."

2. WE OFFER THE FOLLOWING COMMENTS ON THE TASS
ACCOUNT:

--WE HAD NOT PREVIOUSLY KNOWN THAT SHCHARANSKIY
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WOULD BE CHARGED UNDER BOTH ARTICLE 64 (TREASON)
AND ARTICLE 70 (ANTI-SOVIET AGITATION AND PROPAGANDA);
THIS OPENS THE POSSIBILITY, HOWEVER REMOTE, THAT
EVEN IF FOUND GUILTY OF TREASON, SHCHARANSKIY MAY
EVENTUALLY HAVE THE CHARGES REDUCED TO THOSE SPECIFIED
UNDER ARTICLE 70 (SEVEN YEARS IMPRISONMENT AND FIVE
YEARS EXILE);

--SHCHARANSKIY IS DESCRIBED AS "UNMARRIED",
LEAVING NO DOUBT THAT SOVIET AUTHORITIES DO NOT
RECOGNIZE HIS MARRIAGE AS VALID;

--THE INDICTMENT CHARGES THAT HE MAINTAINED REGULAR
CONTACTS DURING 1974-1977 WITH REPRESENTATIVES OF
MORE THAN ONE FOREIGN INTELLIGENCE SERVICE, WHICH
SUGGESTS (IN LIGHT OF EARLIER SOVIET PRESS ITEMS ON
SHCHARANSKIY) THAT BOTH CIA AND DIA MAY EVENTUALLY
BE NAMED;

--IT IS FURTHER CHARGED THAT HE PASSED "INFORMA-
TION ON THE LOCATION AND SECURITY REGIME OF A NUMBER
OF ENTERPRISES OF THE DEFENSE INDUSTRY" TO "WESTERN
DIPLOMATS-INTELLIGENCE OFFICERS" AS WELL AS TO "AN
AGENT OF A FOREIGN MILITARY INTELLIGENCE SERVICE
WHO WORKED UNDER THE COVER OF A JOURNALIST IN MOSCOW";
THE INFORMATION REFERRED TO APPARENTLY IS THE DATA
ON THE PLACE OF EMPLOYMENT OF JEWISH REFUSENIKS
GATHERED (AS WE RECALL) BY SHCHARANSKIY AND SUBSEQUENTLY
PUBLISHED BY FORMER LOS ANGELES TIMES BUREAU CHIEF
ROBERT TOTH; JUDGING FROM THE IZVESTIYA EXPOSE
BY LIPAVSKIY, THE WESTERN DIPLOMATS PROBABLY WILL
TURN OUT TO BE FORMER U.S. EMBOFFS LEVITSKY AND
PRESEL; THE "AGENT" POSING AS A JOURNALIST UNDOUBTEDLY
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WILL BE ROBERT TOTH;

--WE EXPECT THAT THE LETTER WRITTEN BY FORMER
EMBASSY MILITARY ATTACHE ROBERT WATERS TO TOTH,
CITED IN A "LITERATURNAYA GAZETA" SMEAR OF TOTH
WILL BE USED DURING THE TRIAL TO "PROVE" TOTH'S
"INTELLIGENCE AFFILIATION";

--TASS STATES THAT SHCHARANSKIY MAINTAINED
"CRIMINAL CONTACTS" WITH A NUMBER OF OTHER FOREIGNERS
IN MOSCOW, WHICH LEAVES OPEN THE POSSIBILITY THAT
OTHER U.S. DIPLOMATS AND JOURNALISTS MAY BE NAMED
DURING THE TRIAL.

3. SOVIET AUTHORITIES OBVIOUSLY ARE CONCERNED TO
DEMONSTRATE THAT SOVIET LEGAL PROCEDURES ARE BEING
CAREFULLY OBSERVED. TASS, FOR EXAMPLE, CLAIMS THAT
THE TRIAL IS "OPEN", THAT "EVERY PETITION" PRESENTED
BY SHCHARANSKIY WAS DISCUSSED AND SOME WERE SATISFIED,
INCLUDING HIS REQUEST TO CONDUCT HIS OWN DEFENSE.
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